

and was a mentor to many young people as they continued the battles for Indian Tribes.

Tim was highly respected throughout the United States and touched many lives. He received many honors and was known for his brilliant mind, his wise advice, his humor, his vision, his capabilities, his ability to provide leadership in crisis and his strength of will. Though a tireless leader, he always made time and always had a kind word for his family and his extended family, of which he has legion. In his life's work, Tim had a skill for cutting through to the core issue, no matter how complex, then inspiring those around him to join hands to either take care of a problem or take advantage of an opportunity. It would be inadequate to label Tim simply as a visionary, because he himself would correct such a label and point out that together, we did not all just see or talk, rather we all made real things happen and stood our shared ground. That is Tim's truly unique legacy, providing guideposts to those who stand proudly in Tim's wake by having experienced a man—never daunted, habitually principled, strategically defiant, possessing great perspective yet a healthy appreciation for satire, and always hopeful.

Tim was preceded in death by his parents, Reverend Paul Wapato (1955) and Elizabeth Wapato (1994), his Sister, Esther KeAna Wapato (1965) and Phillip Francis Wapato (1961).

S. Timothy Wapato is survived by his wife, Gay Kingman, of Rapid City, SD; son Stephen Timothy Wapato (Megan), Wenatchee, WA and daughters KeAna Wapato Conrad and Theresa Wapato Borgia of Southern California; son Charles Robertson (Kathy), Vernon Robertson (Corina); and brothers Paul G. Wapato Jr. (Ruth), Spokane, WA, Titus R. Wapato, Santa Monica, CA, and James W. Wapato, Bouse, AZ. Together, Tim and Gay have 20 Grandchildren and 4 Great Grandchildren with one on the way. Over the years, Tim & Gay have mentored numerous young people and have a vast extended family who love and respect them.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:51 a.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House insists upon its amendment to the resolution (S. Con. Res. 13) setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. SPRATT, Mr. BOYD, Ms. DELAURO, Mr. RYAN of Wisconsin, and Mr. HENSARLING as managers of the conference on the part of the House.

At 12:24 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 586. An act to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

H.R. 749. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

H.R. 957. An act to authorize higher education curriculum development and graduate training in advanced energy and green building technologies.

H.R. 1580. An act to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes.

H.R. 1626. An act to make technical amendments to laws containing time periods affecting judicial proceedings.

H.R. 1679. An act to provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, and for other purposes.

H.R. 1824. An act to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

The message also announced that the House agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 86. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth.

H. Con. Res. 101. Concurrent resolution providing for the acceptance of a statue of Ronald Wilson Reagan from the people of California for placement in the United States Capitol.

At 5:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1139. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to

enhance the COPS ON THE BEAT grant program, and for other purposes.

H.R. 1145. An act to implement a National Water Research and Development Initiative, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 749. An act to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on Rules and Administration.

H.R. 957. An act to authorize higher education curriculum development and graduate training in advanced energy and green building technologies; to the Committee on Energy and Natural Resources.

H.R. 1139. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes; to the Committee on the Judiciary.

H.R. 1145. An act to implement a National Water Research and Development Initiative, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1580. An act to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1679. An act to provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1824. An act to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1664. An act to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration:

Special Report entitled "Report on the Resolution (S. Res. 73) Authorizing Expenditures by Committees of the Senate" (Rept. No. 111-14).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INOUE for the Committee on Commerce, Science, and Transportation.

*April S. Boyd, of the District of Columbia, to be an Assistant Secretary of Commerce.

*Cameron F. Kerry, of Massachusetts, to be General Counsel of the Department of Commerce.

*Robert S. Rivkin, of Illinois, to be General Counsel of the Department of Transportation.

*Roy W. Kienitz, of Pennsylvania, to be Under Secretary of Transportation for Policy.

*Peter H. Appel, of Virginia, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

*Dana G. Gresham, of the District of Columbia, to be an Assistant Secretary of Transportation.

*Joseph C. Szabo, of Illinois, to be Administrator of the Federal Railroad Administration.

*Sherburne B. Abbott, of Texas, to be an Associate Director of the Office of Science and Technology Policy.

*Coast Guard nomination of Vice Adm. David P. Pekoske, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. John P. Currier, to be Vice Admiral.

*Coast Guard nomination of Capt. Robert E. Day, Jr., to be Rear Admiral (Lower Half).

*Coast Guard nomination of Rear Adm. Jody A. Breckenridge, to be Vice Admiral.

Mr. INOUE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nomination of Michael J. McNeil, to be Lieutenant Commander.

*Coast Guard nomination of Desarae A. Janszen, to be Lieutenant Commander.

By Mrs. BOXER for the Committee on Environment and Public Works.

*Regina McCarthy, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency.

By Mr. LEAHY for the Committee on the Judiciary.

R. Gil Kerlikowske, of Washington, to be Director of National Drug Control Policy.

Ronald H. Weich, of the District of Columbia, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INOUE (for himself and Mr. AKAKA):

S. 871. A bill to authorize the Secretary of the Interior to conduct a special resources study of the Honoliuli Internment Camp site in the State of Hawaii, to determine the suitability and feasibility of establishing a

unit of the National Park System; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH:

S. 872. A bill to establish a Deputy Secretary of Homeland Security for Management, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LUGAR:

S. 873. A bill to expand and improve Cooperative Threat Reduction Programs, and for other purposes; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 874. A bill to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself, Mr. TESTER, and Mr. GRASSLEY):

S. 875. A bill to regulate the judicial use of presidential signing statements in the interpretation of Acts of Congress; to the Committee on the Judiciary.

By Mr. SPECTER (for himself and Mr. WHITEHOUSE):

S. 876. A bill to provide for the substitution of the United States in certain civil actions relating to electronic service providers and FISA; to the Committee on the Judiciary.

By Mr. SPECTER:

S. 877. A bill to provide for the non-discretionary Supreme Court review of certain civil actions relating to the legality and constitutionality of surveillance activities; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself and Mr. VOINOVICH):

S. 878. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 879. A bill to amend the Homeland Security Act of 2002 to provide immunity for reports of suspected terrorist activity or suspicious behavior and response; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mr. BAYH):

S. 880. A bill to amend title XVIII of the Social Security Act to permit a Medicare beneficiary to elect to take ownership, or to decline ownership, of a certain item of complex durable medical equipment after the 13-month capped rental period ends; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. AKAKA, and Mr. INOUE):

S. 881. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID (for Mr. KENNEDY (for himself and Mr. GRASSLEY)):

S. 882. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety and quality of medical products and enhance the authorities of the Food and Drug Administration, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. GRAHAM):

S. 883. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American mili-

tary men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself and Mr. GRASSLEY):

S. 884. A bill to amend title 23, United States Code, to remove privatized highway miles as a factor in apportioning highway funding; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself and Mr. GRASSLEY):

S. 885. A bill to amend the Internal Revenue Code of 1986 to provide special depreciation and amortization rules for highway and related property subject to long-term leases, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 886. A bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. 887. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 888. A bill to amend the Internal Revenue Code of 1986 to terminate certain incentives for oil and gas; to the Committee on Finance.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 889. A bill to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of all milk used for manufactured purposes, which shall be classified as Class II milk, by using the national average cost of production, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID (for Mr. ROCKEFELLER):

S. 890. A bill to provide for the use of improved health information technology with respect to certain safety net health care providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK (for himself, Mr. DURBIN, and Mr. FEINGOLD):

S. 891. A bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ:

S. 892. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 893. A bill to establish the Office of Imported and Domestic Product Safety in the Department of Commerce and the Product Safety Coordinating Council to improve the management, coordination, promotion, and oversight of food and product safety responsibilities, to improve consumer and business access to food and product safety information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Mr. BAYH):